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HONORABLE BENJAMIN SETTLE
HEARING: 11/13/20

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DALE GARCIA and JANA ARCHAMBEAU,
husband and wife,

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Plaintiffs,

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v.

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THOMAS BENENATI and LORETTA
BENENATI, husband and wife and the marital
community thereof; RYAN LAYTON and
JANE DOE LAYTON, husband and wife and
the marital community thereof; ROBERT
INGRAM and JANE DOE INGRAM, husband
and wife and the marital community thereof;
HEATH YATES and JANE DOE YATES,
husband and wife and the marital community
thereof; MATT NILES and JANE DOE NILES,
husband and wife and the marital community
thereof; STATE OF WASHINGTON;
WASHINGTON STATE PARKS AND
RECREATION COMMISSION; JOHN and
JANE DOES 1-20 and the marital communities
thereof, and ABC CORPORATIONS 1-10,

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Defendants.

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COMES NOW Plaintiffs, by and through one of their attorneys of record, Mark
Leemon and LEEMON + ROYER PLLC, and pursuant to F.R.C.P. 15(a)(2) moves the Court
for leave to amend the Plaintiffs' Complaint for Damages (Dkt. No. 2, EX. A) to Plaintiffs'
proposed Amended Complaint for Damages which is filed herewith.

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No. 3:20-cv-05945-BHS

MOTION TO AMEND
COMPLAINT

(NO ORAL ARGUMENT
REQUESTED)

Leave to amend should be granted freely when justice requires. F.R.C.P. 15(a)(2). In this case, it is appropriate to grant Plaintiffs' Motion because the complaint filed in Clark County, removed to this Court by Defendants was filed in its then-present form because of a clerical error. See Declaration of Mark Leemon (Dkt. No.10) and Plaintiffs' Response to Defendants' Motion for Summary Judgment (Dkt. No 9).

WHEREFORE, Plaintiffs respectfully move this Court for an order granting them leave to amend their Complaint. Plaintiffs further request that the Court accept for filing the Plaintiffs' Amended Complaint for Damages filed herewith.

DATED this 2nd day of November, 2020.

LEEMON + ROYER, PLLC

/s/ Mark Leemon

Mark Leemon. WSBA #5005
Counsel for Plaintiffs

PFAU COCHRAN VERTETIS AMALA, PLLC

/s/
Tom Vertetis, WSBA #29805
Counsel for Plaintiffs

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2 **CERTIFICATE OF SERVICE**
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4 I declare under the penalty of perjury of the laws of the State of Washington that on
5 the date below a copy of the foregoing document was forwarded for service upon counsel of
6 record as follows:

5 Stewart A. Estes, WSBA #15535 6 KEATING, BUCKLIN & McCORMACK, INC. 7 801 Second Ave., Ste. 1210 8 Seattle, WA 98104 9 sestes@kbmlawyers.com 10 Attorney for individual defendants	Sent Via: <input checked="" type="checkbox"/> Email Regular U.S. Mail
9 Jeremy Culumber 10 AAG 11 United States Attorney's Office 12 700 Stewart Street, Suite 5220 13 Seattle, Washington 98101 14 jculumber@kbmlawyers.com 15 cmarlatte@kbmlawyers.com 16 Attorney for defendant State of Washington	Sent Via: <input checked="" type="checkbox"/> Email Regular U.S. Mail

17 Signed at Seattle, WA this 2nd day of November, 2020.

18 *Diane Oggian*

19 _____
20 Diane Oggian, paralegal
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